

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

294H0590

HOUSE BILL NO. 1261

Introduced by: Representatives Jensen, Duenwald, Frost, Fryslie, Juhnke, Rhoden, and Sutton
(Duane) and Senators Olson (Ed) and Greenfield

1 FOR AN ACT ENTITLED, An Act to provide certain restrictions for local governments that
2 have opted out of the limitation on tax levy increases.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 10-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If a governing body of a school district has opted out of the limitation on tax levy increases
7 pursuant to § 10-12-43 and the total general fund balance of the school district exceeds thirty
8 percent as of June thirtieth in two consecutive years, the authority of the school district to have
9 an excess tax levy is revoked. The school district is then subject to the limitations of the general
10 fund tax levies provided in § 10-12-42.

11 Section 2. That chapter 10-13 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 If a governing body of a taxing district has opted out of the limitation on tax levy increases
14 pursuant to § 10-13-36 and the total general fund balance of the taxing district exceeds forty
15 percent as of December thirty-first in two consecutive years, the authority of the taxing district



- 1 to have an excess tax levy is revoked. The taxing district is then subject to the tax levy limitations
- 2 provided in § 10-13-35.